

Serial No. 09/960,391

REMARKS

Claim 22 has been amended in a sincere attempt to place the case in condition for allowance. The claim, as revised, does not call for the criticized transparent conductive layer and identifies the hardcoat layer in the manner identical to that in claim 1 of parent Patent 6,319,594. Instant claim 22 still recites that the hardcoat layer comprises a plurality of layers, which characteristic distinguishes the claim from the claims in the parent patent.

The rejection of claims 22 to 26 under the first paragraph of 35 USC 112 has been rendered moot by the striking of the transparent conductive layer feature.

The rejection of claims 22 to 26 under 35 USC 103 as unpatentable over Ota et al. '438 in view of Niimi et al. '753, if applied to the claims as amended is respectfully traversed.

Claim 22 no longer calls for a transparent conductive layer; thus Ota et al. '438 is no longer pertinent. Claim 22 now specifies a particular markup of the hardcoat layer, a feature neither taught nor suggested in Ota et al. '438 or Niimi et al. '753. The rejection accordingly should be withdrawn.

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The rejection of claims 22 to 26 under the judicially created doctrine of obviousness-type double patenting as unpatentable over claims 1, 6, 8, and 14 of parent Patent 6,319,594 in view of Niimi et al. and further in view of Ota et al. '438 is noted. A Terminal Disclaimer is filed with the present response, which will obviate the rejection.

In view of the foregoing revisions and remarks, it is respectfully submitted that claims 22 to 26 are in condition for allowance and a USPTO paper to those ends is earnestly solicited.

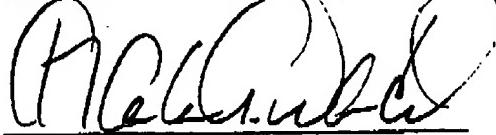
The Examiner is asked once more to cite all the references listed by applicants on the PTO-1449 form filed with the Information Disclosure Statement dated September 24, 2001; see the previous remarks on page 6 of the Amendment Under 37 CFR 1.111 filed March 17, 2003.

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The Examiner is requested to telephone the undersigned if additional changes are required in the case prior to allowance.

Respectfully submitted,

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Enclosure:

Terminal Disclaimer

Attorney Docket No.: DAIN:493A

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